PUBLIC LAW 99-178—DEC. 12, 1985

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DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1986

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Public Law 99-178
99th Congress

An Act

Dec. 12, 1985
[H.R. 3424]

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1986, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1986, and for other purposes, namely:

Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1986.
Department of Labor Appropriation Act, 1986.

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $68,155,000, together with not to exceed $42,666,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

TRAINING AND EMPLOYMENT SERVICES

29 USC 1501 note.

For expenses necessary to carry into effect the Job Training Partnership Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act, $3,461,045,000 plus reimbursements, to be available for obligation for the period July 1, 1986, through June 30, 1987, including $2,000,000 for the National Commission for Employment Policy, including $3,000,000 for all activities conducted by and through the National Occupational Information Coordinating Committee under the Job Training Partnership Act, and including $10,000,000 for service delivery areas under section 101(a)(4)(A)(iii) of the Job Training Partnership Act in addition to amounts otherwise provided under sections 202 and 251(b) of the Act: *Provided,* That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers: *Provided further,* That of the funds made available for obligation for the Summer Youth Employment and Training Program for the program years 1985 and 1986 the Secretary of Labor may reserve an amount, which, when combined with excess unexpended funds, shall not exceed fifteen percent of the total provided for the program, and allot such funds to the States so that each service delivery area receives, as nearly as possible, an amount equal to its prior year allocation for this program. For the purposes of this provision, "excess unexpended funds" shall mean for program year 1985, any amount unexpended as of September 30,

29 USC 1511.
29 USC 1602, 1631.

1985, in excess of 10 percent of the prior year State allotment, and for program year 1986, any amount unexpended as of September 30, 1986, in excess of 10 percent of the prior year State allotment. Reallocations of excess unexpended funds pursuant to this provision shall be accomplished by reducing, by an amount equivalent to the amount of excess unexpended funds, allotments made to the States.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, $254,280,000. Grants. Contracts. 42 USC 3056d.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, $71,720,000. Grants.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of benefits and payments as authorized by title II of Public Law 95-250, as amended, and of trade adjustment benefit payments and allowances, as provided by law (part I, subchapter B, chapter 2, title II of the Trade Act of 1974, as amended) $10,000,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year: *Provided*, That amounts received or recovered pursuant to section 208(e) of Public Law 95-250 shall be available for payments. 92 Stat. 172. 19 USC 2291. 92 Stat. 179.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49-49l-1; 39 U.S.C. 3202(a)(1)(E)); title III of the Social Security Act, as amended (42 U.S.C. 502-504); necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, and sections 231-235 and 243-244, title II of the Trade Act of 1974, as amended; and as authorized by section 7c of the Act of June 6, 1933, as amended, necessary administrative expenses under sections 101(a)(15)(H)(ii) and 212(a)(14) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.), and section 51 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 51), notwithstanding section 261(f)(2)(A) of the Economic Recovery Tax Act of 1981, as amended, $23,600,000, together with not to exceed $2,456,240,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which not to exceed $250,000, of the amount which may be expended from said Trust Fund for Employment Service purposes, shall be used by the Secretary of Labor to conduct a study, to be submitted to Congress prior to June 1, 1986, designed to examine the status of automation in the labor exchange process throughout the Employment Service system, and to develop recommendations (including cost estimates) necessary to ensure the most efficient and effective job matching program within each State and among the States (known as the Interstate Job Bank System), and of which $22,700,000 together with not to exceed $769,500,000 of the amount which may be expended from said trust fund shall be available for obligation for the period Study. 29 USC 49-49l-1. 19 USC 2291-2294, 2315, 2316. 29 USC 49f. 98 Stat. 1042. 26 USC 51 note.

29 USC 49e.

July 1, 1986, through June 30, 1987, to fund activities under section 6 of the Act of June 6, 1933, as amended, including the cost of penalty mail made available to States in lieu of allotments for such purpose, and of which $283,532,000 shall be available only to the extent necessary to administer unemployment compensation laws to meet increased costs of administration resulting from changes in a State law or increases in the number of unemployment insurance claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic allocation was based, which cannot be provided for by normal budgetary adjustments.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

42 USC 1105, 1323.

26 USC 9501.

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended, and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 1987, $465,000,000.

LABOR-MANAGEMENT SERVICES

SALARIES AND EXPENSES

For necessary expenses for Labor-Management Services, $57,505,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

Contracts.

94 Stat. 1217.

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1986, for such Corporation: *Provided*, That not to exceed $33,040,000 shall be available for administrative expenses of the Corporation.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $190,318,000, of which not to exceed $8,000,000 shall be available for obligation through September 30, 1987, for acquisition of computer equipment and software for the Federal Employees' Compensation Level II System, together with $406,000, which may be expended

from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshoremen's and Harbor Workers' Compensation Act. 33 USC 939. 98 Stat. 1654.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title V, chapter 81 of the United States Code; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshoremen's and Harbor Workers' Compensation Act, as amended, $259,500,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to September 15 of the current year: *Provided*, That in addition there shall be transferred from the Postal Service fund to this appropriation such sums as the Secretary of Labor determines to be the cost of administration for Postal Service employees through September 30, 1986. 5 USC 8101 *et seq.* 61 Stat. 260. 58 Stat. 566. 42 USC 1702; 50 USC 2004. 33 USC 910.

BLACK LUNG DISABILITY TRUST FUND

For payments from the Black Lung Disability Trust Fund, $988,422,000, of which $942,868,000 shall be available until September 30, 1987, for payment of all benefits and interest on advances under subsection (c)(2) of section 9501 of the Internal Revenue Code of 1954, as amended, as authorized by section 9501(d) (1), (2), (4), and (7) of that Act and of which $25,481,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, and $19,697,000 for transfer to Departmental Management, Salaries and Expenses, and $376,000 for transfer to Departmental Management, Office of Inspector General, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5)(A) of that Act: *Provided*, That in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, other benefits, or interest on advances for any period subsequent to June 15 of the current year: *Provided further*, That in addition, such amounts shall be paid from this fund into miscellaneous receipts as the Secretary of the Treasury determines to be the administrative expenses of the Department of the Treasury for administering the fund during the current fiscal year, as authorized by section 9501(d)(5)(B) of that Act. 26 USC 9501.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $218,045,000, including not to exceed $53,021,000, which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State Grants. 29 USC 672.

occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970: *Provided,* That none of the funds appropriated under this paragraph shall be obligated or expended for the assessment of civil penalties issued for first instance violations of any standard, rule, or regulation promulgated under the Occupational Safety and Health Act of 1970 (other than serious, willful, or repeated violations under section 17 of the Act) resulting from the inspection of any establishment or workplace subject to the Act, unless such establishment or workplace is cited, on the basis of such inspection, for ten or more violations: *Provided further,* That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further,* That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, order or administrative action under the Occupational Safety and Health Act of 1970 affecting any work activity by reason of recreational hunting, shooting, or fishing: *Provided further,* That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost work day case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

Prohibition.
29 USC 667.

29 USC 651 note.
29 USC 666.

Prohibition.

Prohibition.

Prohibition.

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of five or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further,* That none of the funds appropriated

under this paragraph shall be obligated or expended for the proposal or assessment of any civil penalties for the violation or alleged violation by an employer of ten or fewer employees of any standard, rule, regulation, or order promulgated under the Occupational Safety and Health Act of 1970 (other than serious, willful or repeated violations and violations which pose imminent danger under section 13 of the Act) if, prior to the inspection which gives rise to the alleged violation, the employer cited has (1) voluntarily requested consultation under a program operated pursuant to section 7(c)(1) or section 18 of the Occupational Safety and Health Act of 1970 or from a private consultative source approved by the Administration and (2) had the consultant examine the condition cited and (3) made or is in the process of making a reasonable good faith effort to eliminate the hazard created by the condition cited as such, which was identified by the aforementioned consultant, unless changing circumstances or workplace conditions render inapplicable the advice obtained from such consultants: *Provided further,* That none of the funds appropriated under this paragraph may be obligated or expended for any State plan monitoring visit by the Secretary of Labor under section 18 of the Occupational Safety and Health Act of 1970, of any factory, plant, establishment, construction site, or other area, workplace or environment where such a workplace or environment has been inspected by an employee of a State acting pursuant to section 18 of such Act within the six months preceding such inspection: *Provided further,* That this limitation does not prohibit the Secretary of Labor from conducting such monitoring visit at the time and place of an inspection by an employee of a State acting pursuant to section 18 of such Act, or in order to investigate a complaint about State program administration including a failure to respond to a worker complaint regarding a violation of such Act, or in order to investigate a discrimination complaint under section 11(c) of such Act, or as part of a special study monitoring program, or to investigate a fatality or catastrophe: *Provided further,* That none of the funds appropriated under this paragraph may be obligated or expended for the inspection, investigation, or enforcement of any activity occurring on the Outer Continental Shelf which exceeds the authority granted to the Occupational Safety and Health Administration by any provision of the Outer Continental Shelf Lands Act, or the Outer Continental Shelf Lands Act Amendments of 1978.

29 USC 651 note.
29 USC 662.
29 USC 656, 667.
Prohibition.
29 USC 660.
43 USC 1301 note.
43 USC 1801 note.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $151,679,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the purchase of not to exceed fifty-two passenger motor vehicles for replacement only; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the

30 USC 962.

Prohibition.

Secretary, to provide for the costs of mine rescue and survival operations in the event of major disaster: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

30 USC 825.
30 USC 814.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $158,640,000, of which $13,258,000 shall be for expenses of revising the Consumer Price Index, together with not to exceed $36,309,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: *Provided*, That $5,848,000 shall remain available until September 30, 1987.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including $2,136,000 for the President's Committee on Employment of the Handicapped, $99,303,000, together with not to exceed $252,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed $132,975,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 2001-08 and 2021-26.

OFFICE OF THE INSPECTOR GENERAL

5 USC app.

For salaries and expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $38,730,000, together with not to exceed $3,231,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

SPECIAL FOREIGN CURRENCY PROGRAM

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Department of Labor, as authorized by law, $47,000, to remain available until expended. This appropriation shall be available in addition to other appropriations to such agency for payments in foreign currencies.

GENERAL PROVISIONS

SEC. 101. Appropriations in this Act available for salaries and expenses shall be available for supplies, services, and rental of

conference space within the District of Columbia, as the Secretary of Labor shall deem necessary for settlement of labor-management disputes.

SEC. 102. None of the funds appropriated under this Act shall be used to grant variances, interim orders or letters of clarification to employers which will allow exposure of workers to chemicals or other workplace hazards in excess of existing Occupational Safety and Health Administration standards for the purpose of conducting experiments on workers' health or safety. Prohibitions. Hazardous materials.

This title may be cited as the "Department of Labor Appropriation Act, 1986".

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Department of Health and Human Services Appropriation Act, 1986.

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles III, IV, VII, VIII, XV, XVI, XIX, and XXI of the Public Health Service Act, and section 427(a) of the Federal Coal Mine Health and Safety Act, and title V of the Social Security Act, $1,360,434,000, of which $500,000 shall be available for assistance to two-year schools of medicine or osteopathy under section 788(a) of the Public Health Service Act; of which $2,600,000 shall be available for grants under section 371 of the Public Health Service Act; of which $5,000,000 shall be for construction of and equipment for outpatient medical facilities under section 1610(b), of which $3,300,000 shall be available only for payments to the State of Hawaii for care and treatment of persons afflicted with Hansen's disease; of which $750,000 to be available until expended, shall be used to renovate the National Hansen's Disease Center; of which $5,000,000 shall be to establish geriatric educational units under section 788(b) of the Public Health Service Act; and of which $1,200,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act: *Provided*, That this appropriation shall be available for payment of the costs of medical care, related expenses, and burial expenses hereafter incurred by or on behalf of any person who has participated in the study of untreated syphilis initiated in Tuskegee, Alabama, in 1932, in such amounts and subject to such terms and conditions as prescribed by the Secretary of Health and Human Services and for payment, in such amounts and subject to such terms and conditions, of such costs and expenses hereafter incurred by or on behalf of such person's wife or offspring determined by the Secretary to have suffered injury or disease from syphilis contracted from such person: *Provided further*, That when the Department of Health and Human Services administers or operates an employee health program for any Federal department or agency, payment for the full estimated cost shall be made by way of reimbursement or in advances to this appropriation: *Provided further*, That during the fiscal year, and within the resources and authority available under section 338 of the Public Health Service Act, gross obligations for the principal amount of direct loans under sections 335(c), 338C(e)(1), and 338E of that Act shall not exceed $1,000,000: *Provided further*, That none of

42 USC 241, *Ante*, pp. 822, 525, 400, 300k-1, 300q-1, 300w, 300aa. 30 USC 937. 42 USC 701. *Ante*, p. 541. 98 Stat. 2342. 42 USC 300r.

Ante, p. 541.

42 USC 293.

42 USC 254k.

42 USC 254h, 254n, 254p.

the funds made available by this Act shall be used to provide special retention pay (bonuses) under paragraph (4) of 37 U.S.C. 302(a) to any regular or reserve officer of the Public Health Service for any period during which the officer is providing obligated service under section 338B (or under former sections 225(e) or 752) of the Public Health Service Act except that this proviso shall not apply to any period of service covered by an agreement entered into by an officer under 37 U.S.C. 302(c)(1) before the date of enactment of Public Law 97-377: *Provided further,* That in addition to the amounts provided herein, $15,750,000 shall be available to the Health Resources and Services Administration from reimbursements from other Federal Agencies and Departments for the operation of employee occupational health programs under 5 U.S.C. 7901: *Provided further,* That no funds appropriated to carry out the Public Health Service Act may be used to award grants to, enter into new contracts or cooperative agreements with, or otherwise assist, a State, or any agency thereof, to administer, or monitor the operation of, or operate (except as provided in section 329(h)(2) and 330(g)(3)) any program supported under section 329 or 330, or title XIX-C, of the Public Health Service Act: *Provided further,* That during fiscal year 1986, the Secretary of Health and Human Services shall enter into commitments to guarantee loans, under subpart 1 of part C of title VII of the Public Health Service Act, to students who have not previously received loans guaranteed thereunder, and to students who have previously received loans guaranteed thereunder, except that the total of commitments so authorized may not exceed the sum of $275,000,000 plus any uncommitted balances of loan guarantee authority provided for any prior fiscal year which remain available for fiscal year 1986.

42 USC 254m, 234, 254m.

96 Stat. 1830.

Prohibition.

42 USC 201 note.

42 USC 254b, 254c.

42 USC 300y.

42 USC 294.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, $25,000,000 together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year no commitments for direct loans, or loan guarantees shall be made.

42 USC 300q-2.

42 USC 291.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

Any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, and not to exceed $700,000, may be disbursed with respect to any liability or contingent liability incurred prior to 1985.

42 USC 300e.

CENTERS FOR DISEASE CONTROL

DISEASE CONTROL

(INCLUDING TRANSFER OF FUNDS)

To carry out titles III and XIX and section 1102 of the Public Health Service Act, sections 101, 102, 103, 201, 202, and 203 of the Federal Mine Safety and Health Act of 1977, and sections 20, 21, and

42 USC 241, 300w, 300b-1.

30 USC 801 and note, 842, 843.

22 of the Occupational Safety and Health Act of 1970; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, $471,861,000, of which $3,797,000 shall remain available until expended for equipment and construction and renovation of facilities, and of which $6,900,000 shall remain available until September 30, 1987 for the purchase and distribution of drugs, and of which $2,000,000 shall be used to establish, maintain, and operate a twenty-four-hour telephone hotline which permits calls to be made without charge to the caller, which provides general information concerning acquired immune deficiency syndrome and information concerning medical services and housing facilities for individuals with such syndrome, and which refers such individuals to counseling services: *Provided,* That training of employees of private agencies shall be made subject to reimbursement or advances to this appropriation for the full cost of such training: *Provided further,* That not to exceed $1,266,000 in collections from user fees, including collections from training and reimbursements and advances for the full cost of proficiency testing of private clinical laboratories, may be credited to this appropriation: *Provided further,* That $10,000,000 shall be derived from unobligated balances provided under Public Law 94-266 for national influenza immunization: *Provided further,* That $1,000,000 shall be used for studies of designer or synthetic drug use.

29 USC 669, 670, 671.

90 Stat. 362.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $1,258,159,000.

42 USC 241; *Ante,* p. 822.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301, title IV, and section 1105 of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $859,572,000.

42 USC 241; *Ante,* pp. 822, 300b-4.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental diseases, $103,377,000.

NATIONAL INSTITUTE OF ARTHRITIS, DIABETES, AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis, diabetes, and digestive and kidney diseases, $569,597,000.

NATIONAL INSTITUTE OF NEUROLOGICAL AND COMMUNICATIVE DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological and communicative disorders and stroke, $433,595,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

42 USC 241; *Ante*, p. 822.

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $383,717,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $514,814,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $321,972,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and part F of title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $195,168,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

42 USC 243.

For carrying out sections 301 and 311, and title IV, of the Public Health Service Act with respect to environmental health sciences, $197,686,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $156,592,000.

RESEARCH RESOURCES

42 USC 289*l*-1. Prohibition.

For carrying out section 301 and section 472 of the Public Health Service Act with respect to research resources and general research support grants, $305,696,000: *Provided*, That none of these funds, with the exception of funds for the Minority Biomedical Research Support program, shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $11,568,000, of which $1,999,000 shall be available for payment to the Gorgas Memorial Institute for maintenance and operation of the Gorgas Memorial Laboratory.

NATIONAL LIBRARY OF MEDICINE

42 USC 275.

For carrying out section 301 with respect to health information communications and part I of title III of the Public Health Service Act, $57,956,000.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $117,085,000, including purchase of not to exceed ten passenger motor vehicles for replacement only.

BUILDINGS AND FACILITIES

For construction of, and acquisition of sites and equipment for, facilities of or used by the National Institutes of Health, $14,900,000, to remain available until expended.

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

For carrying out the Public Health Service Act with respect to mental health, drug abuse, alcohol abuse, and alcoholism, $958,860,000 of which $100,000 for design, modernization, and improvement of government owned or leased intramural research facilities shall remain available until expended: *Provided,* That in addition to amounts provided herein, $10,000,000 shall be available for carrying out activities for protection and advocacy for mentally ill persons, to become available upon enactment of authorizing legislation. 42 USC 201 note.

FEDERAL SUBSIDY FOR SAINT ELIZABETHS HOSPITAL

For a portion of the cost of the maintenance and operation of Saint Elizabeths Hospital in the District of Columbia $43,696,000: *Provided,* That in fiscal year 1986 and thereafter the maximum amount available to Saint Elizabeths Hospital from Federal sources shall not exceed the total of the following amounts: the appropriations made under this heading, amounts billed to Federal agencies and entities by the Secretary of Health and Human Services for services provided at Saint Elizabeths Hospital, and amounts authorized by titles XVIII and XIX of the Social Security Act: *Provided further,* That this amount shall not include Federal funds appropriated to the District of Columbia under "Federal Payment to the District of Columbia" and payments made pursuant to section 9(c) of Public Law 98-621: *Provided further,* That the Secretary of Health and Human Services may set rates which in the aggregate do not exceed the estimated total cost of inpatient and outpatient services provided through Saint Elizabeths Hospital as authorized by title 16, sections 2315 and 2320, title 21, sections 511, 513, 522, 545, 902, and 1116, and title 24, sections 301 and 302 of the District of Columbia Code, and may bill and collect from (prospectively or otherwise) individuals, the District of Columbia and other entities for any services so provided: *Provided further,* That the Secretary of Health and Human Services may set rates which in the aggregate do not exceed the estimated total cost of inpatient and outpatient services provided through Saint Elizabeths Hospital as authorized by title 24, sections 191, 196, 211, 212, 222, 253, and 324, title 31, section 1535, and title 42, sections 249 and 251 of the United States Code, and may bill and collect (prospectively or otherwise) from individuals, and Federal agencies, and other entities for any services so provided. Amounts so collected shall be credited to the appropriation for Saint Elizabeths Hospital and shall remain available until expended. 24 USC 170a. 42 USC 1395, 1396. Prohibition. 98 Stat. 3377. 24 USC 168b. 98 Stat. 3379-3381; 98 Stat. 3.

OFFICE OF ASSISTANT SECRETARY FOR HEALTH

PUBLIC HEALTH SERVICE MANAGEMENT

For the expenses necessary for the Office of Assistant Secretary for Health and for carrying out title III of the Public Health Service Act, $91,541,000, together with not to exceed $1,050,000 to be transferred and expended as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds referred to therein and, in addition, amounts collected by the National Center for Health Statistics from the sale of data tapes shall be credited to this appropriation and shall remain available until expended.

42 USC 241.

42 USC 401.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C., ch. 55), such amounts as may be required during the current fiscal year.

10 USC 1071 *et seq.*

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, title XIX of the Social Security Act, $17,918,000,000, to remain available until expended.

42 USC 1396.

For making, after May 31, 1986, payments to States under title XIX of the Social Security Act, for the last quarter of fiscal year 1986 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

Payment under title XIX may be made for any quarter beginning after June 30, 1985, and before October 1, 1986, with respect to any State plan or plan amendment in effect during any such quarter, if submitted in, or prior to such quarter and approved in that or any such subsequent quarter.

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1987, $6,500,000,000, to remain available until expended.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g), 229(b) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, and section 278(d) of Public Law 97-248, $18,854,000,000.

42 USC 417, 429, 1395w.
42 USC 426a, 1395i-1.
42 USC 426 note.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social Security Act, $89,533,000, together with not to exceed $1,176,785,000 to be transferred to this appropriation as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical

42 USC 1301, 1395, 1396.
42 USC 401.

Insurance Trust Funds referred to therein: *Provided,* That in addition, $15,000,000 shall similarly be derived by transfer from said trust funds and shall be expended only to the extent necessary to process workloads not anticipated in the budget estimates and to meet unanticipated costs of agencies or organizations with which agreements have been made to participate in the administration of title XVIII and after maximum absorption of such costs within the remainder of the existing limitation has been achieved.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, as provided under sections 201(m), 217(g), 228(g), 229(b), and 1131(b)(2) of the Social Security Act and section 152 of Public Law 98-21, $497,008,000. 42 USC 401, 417, 428, 429, 1320b-1; 401.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, including the payment of travel expenses on an actual cost or commuted basis, to an individual, for travel incident to medical examinations, and to parties, their representatives, and all reasonably necessary witnesses for travel within the United States, Puerto Rico, and the Virgin Islands, to reconsideration interviews and to proceedings before administrative law judges, $727,908,000 to remain available until expended. For making, after July 31, of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary. 30 USC 901.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1987, $270,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out the Supplemental Security Income Program, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the social security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $7,712,089,000, to remain available until expended: *Provided,* That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury. For making, after July 31 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary. 42 USC 1382e note. 42 USC 1382 note, 1383 note. 42 USC 401. 42 USC 1381.

For carrying out the Supplemental Security Income Program for the first quarter of fiscal year 1987, $2,339,250,000, to remain available until expended.

ASSISTANCE PAYMENTS PROGRAM

For carrying out, except as otherwise provided, titles I, IV-A and -D, X, XI, XIV, and XVI of the Social Security Act and the Act of 42 USC 301, 601, 651, 1201, 1301, 1351, 1381.

24 USC 321 *et seq.*

July 5, 1960 (24 U.S.C., ch. 9), $6,859,578,000, to remain available until expended.

For making, after May 31 of the current fiscal year, payments to States under titles I, IV-A and -D, X, XIV, and XVI of the Social Security Act, for the last three months of the current fiscal year, for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

42 USC 301, 601, 651, 1201, 1351, 1381.

For making payments to States under titles I, IV-A and -D, X, XIV, and XVI of the Social Security Act for the first quarter of fiscal year 1987, $2,193,754,000, to remain available until expended.

CHILD SUPPORT ENFORCEMENT

For carrying out, except as otherwise provided, titles IV-D and XI of the Social Security Act, $432,601,000, to remain available until expended.

For making, after May 31 of the current fiscal year, payments to States under title IV-D of the Social Security Act, for the last three months of the current fiscal year, for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States under title IV-D of the Social Security Act for the first quarter of fiscal year 1987, $170,750,000, to remain available until expended.

LOW INCOME HOME ENERGY ASSISTANCE

For carrying out title XXVI of the Omnibus Budget Reconciliation Act of 1981, $2,100,000,000.

42 USC 8621.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, not more than $3,992,486,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That travel expense payments under section 1631(h) of such Act may be made only when travel of more than seventy-five miles is required: *Provided further*, That $145,000,000 of the foregoing amount shall be apportioned for use only to the extent necessary to process workloads not anticipated in the budget estimates, for automation projects and their impact on the work force, and to meet mandatory increases in costs of agencies or organizations with which agreements have been made to participate in the administration of titles XVI and XVIII and section 221 of the Social Security Act, and after maximum absorption of such costs within the remainder of the existing limitation has been achieved: *Provided further*, That $182,939,000 for automatic data processing and telecommunications activities shall remain available until expended: *Provided further*, That none of the funds appropriated by this Act may be used for the manufacture, printing, or procuring of social security cards, as provided in section 205(c)(2)(D) of the Social Security Act, where paper and other materials used in the manufacture of such cards are produced, manufactured, or assembled outside of the United States.

42 USC 401.
42 USC 1383 note.
42 USC 1383.
42 USC 1381, 1395, 421.
Prohibition.
42 USC 405.

HUMAN DEVELOPMENT SERVICES

SOCIAL SERVICES BLOCK GRANT

For carrying out the Social Services Block Grant Act, $2,700,000,000. 42 USC 1305 note.

HUMAN DEVELOPMENT SERVICES

For carrying out, except as otherwise provided, the Older Americans Act of 1965, the Runaway and Homeless Youth Act, the Native Americans Programs Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Child Abuse Prevention and Treatment Act, chapter 8-D of title VI-A of the Omnibus Budget Reconciliation Act of 1981 (pertaining to grants to States for planning and development of dependent care programs), the Family Violence Prevention and Services Act (title III of Public Law 98-457), and the Head Start Act, $2,015,922,000: *Provided*, That $76,349,000 shall be the maximum amount available for Indian and migrant Head Start programs for fiscal year 1986. 42 USC 3001 note; 5601 note. 42 USC 2991. 42 USC 6000 note. 42 USC 5101 note. 42 USC 9814. 98 Stat. 1757. 42 USC 10401 note. 42 USC 9801 note.

FAMILY SOCIAL SERVICES

For carrying out parts B and E of title IV and section 1110 of the Social Security Act, and title II of Public Law 95-266 (adoption opportunities), $790,237,000. 42 USC 620, 670, 1310, 5111.

WORK INCENTIVES

For carrying out a work incentive program, as authorized by part C of title IV of the Social Security Act, including registration of individuals for such programs, and for related child care and other supportive services, as authorized by section 402(a)(19)(G) of the Act, including transfer to the Secretary of Labor, as authorized by section 431 of the Act, $220,000,000 which shall be the maximum amount available for transfer to the Secretary of Labor and to which the States may become entitled pursuant to section 403(d) of such Act, for these purposes. 42 USC 630. 42 USC 602. 42 USC 631. 42 USC 603.

OFFICE OF COMMUNITY SERVICES

COMMUNITY SERVICES BLOCK GRANT

For carrying out the Community Services Block Grant Act, $372,435,000, of which $19,920,000 shall be for carrying out section 681(a)(2)(A), $4,050,000 shall be for carrying out section 681(a)(2)(D), $3,035,000 shall be for carrying out section 681(a)(2)(E), and $6,130,000 shall be for carrying out section 681(a)(2)(F). 42 USC 9901 note. 42 USC 9910.

DEPARTMENTAL MANAGEMENT

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six medium sedans, $139,949,000 together with not to exceed $8,000,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein, of which $16,000,000 shall be for the award of grants, under the authority of section 301 of the Public Health Service Act, for four 42 USC 401. 42 USC 241.

projects demonstrating the delivery of health care services to victims of acquired immune deficiency syndrome, to be conducted by entities located, and providing services to persons residing, in those four standard metropolitan statistical areas having the highest concentration of persons suffering the syndrome: *Provided*, That an additional amount of $4,500,000 shall be transferred from amounts available to the National Institutes of Health, National Cancer Institute, for construction, which additional amount shall be used by the Secretary under the contract provisions of section 301(a)(7) of the Public Health Service Act for construction of the Mary Babb Randolph Cancer Center in West Virginia.

42 USC 241.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, $42,219,000 together with not to exceed $30,000,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

42 USC 401.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $16,000,000 together with not to exceed $4,000,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, $6,500,000.

42 USC 1310.

GENERAL PROVISIONS

Prohibition.

SEC. 201. None of the funds appropriated by this title for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any State which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

SEC. 202. Funds appropriated in this Act for the National Institutes of Health shall be used to support no fewer than 6,100 new and competing research projects.

SEC. 203. Appropriations in this Act for the Health Resources and Services Administration, the National Institutes of Health, the Centers for Disease Control, the Alcohol, Drug Abuse, and Mental Health Administration, the Office of the Assistant Secretary for Health, the Health Care Financing Administration, and Departmental Management shall be available for expenses for active commissioned officers in the Public Health Service Reserve Corps and for not to exceed two thousand four hundred and fifty commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; advances of funds for compensation, travel, and subsistence expenses (or per diem in lieu

thereof) for persons coming from abroad to participate in health or scientific activities of the Department pursuant to law; expenses of primary and secondary schooling of dependents in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents, between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; expenses for medical care for civilian and commissioned employees of the Public Health Service and their dependents, assigned abroad on a permanent basis in accordance with such regulations as the Secretary may provide; rental or lease of living quarters (for periods not exceeding five years), and provision of heat, fuel, and light and maintenance, improvement, and repair of such quarters, and advance payments therefor, for civilian officers, and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Public Health Service Act, at rates established by the Assistant Secretary for Health, or the Secretary where such action is required by statute, not to exceed the per diem rate equivalent to the rate for GS-18; not to exceed $9,500 for official reception and representation expenses related to any health agency of the Department when specifically approved by the Assistant Secretary for Health.

Education.

42 USC 209.

SEC. 204. None of the funds contained in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

Prohibition.
Abortion.

SEC. 205. Funds advanced to the National Institutes of Health Management Fund from appropriations in this Act shall be available for the expenses of sharing medical care facilities and resources pursuant to section 327A of the Public Health Service Act.

42 USC 254a.

SEC. 206. Funds appropriated in this title for the Social Security Administration and the Office of Child Support Enforcement shall be available for not to exceed $5,000 for official reception and representation expenses related to income maintenance or child support enforcement activities of the Department when specifically approved by the Commissioner of Social Security.

SEC. 207. Funds appropriated in this title for the Health Care Financing Administration shall be available for not to exceed $2,000 for official reception and representation expenses when specifically approved by the Administrator of the Health Care Financing Administration.

SEC. 208. No funds appropriated for the fiscal year ending September 30, 1986, by this or any other Act, may be used to pay basic pay, special pays, basic allowance for subsistence and basic allowances for quarters of the commissioned corps of the Public Health Service described in section 204 of title 42, United States Code, at a level that exceeds 110 percent of the Executive Level I annual rate of basic pay: *Provided,* That amounts received from employees of the Department in payment for room and board may be credited to the appropriation accounts "Health Resources and Services", National

Prohibition.
42 USC 210 note.

Institutes of Health "Office of the Director", "Disease Control", and "Federal Subsidy for Saint Elizabeths Hospital".

Prohibition.

SEC. 209. None of the funds appropriated in this title shall be used to transfer the general administration of programs authorized under the Native American Programs Act from the Department of Health and Human Services to the Department of the Interior.

42 USC 2991.

SEC. 210. Funds provided in this Act may be used for one-year contracts which are to be performed in two fiscal years, so long as the total amount for such contracts is obligated in the year for which the funds are appropriated.

Research and development. AIDS.

SEC. 211. Pursuant to section 264 of title 42, United States Code, funds provided in this Act for research into the causes and transmission of the acquired immune deficiency syndrome disease may be used by the Surgeon General for closing or quarantining as a public health hazard any bathhouse or massage parlor which in his judgment pursuant to law can be determined to facilitate the transmission or spread of the AIDS epidemic.

This title may be cited as the "Department of Health and Human Services Appropriation Act, 1986".

Department of Education Appropriation Act, 1986.

TITLE III—DEPARTMENT OF EDUCATION

COMPENSATORY EDUCATION FOR THE DISADVANTAGED

For carrying out chapter 1 of the Education Consolidation and Improvement Act of 1981, as amended, $3,688,163,000, of which $5,246,000 shall be used for purposes of section 555(d) of said Act to provide technical assistance and evaluate programs, and the remaining $3,682,917,000 shall become available on July 1, 1986, and remain available until September 30, 1987: *Provided*, That of these remaining funds, no funds shall be used for purposes of section 554(a)(1)(B), $264,524,000 shall be available for purposes of section 554(a)(2)(A), $150,170,000 shall be available for purposes of section 554(a)(2)(B), $32,616,000 shall be available for purposes of section 554(a)(2)(C) and $35,607,000 shall be available for purposes of section 554(b)(1)(D).

20 USC 3801.
20 USC 3804.
20 USC 3803.

For carrying out section 418A of the Higher Education Act, $7,500,000.

20 USC 1070d-2.

IMPACT AID

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C. ch. 13), $675,000,000, of which $22,000,000 shall be for entitlements under section 2 of said Act, $10,000,000, which shall remain available until expended, shall be for payments under section 7 of said Act and $643,000,000 shall be for entitlements under section 3 of said Act of which $513,000,000 shall be for entitlements under section 3(a) of said Act: *Provided*, That payment with respect to entitlements under section 3(a) to any local educational agency described in section 3(d)(1)(A) of said Act shall be at 100 per centum of entitlement except that payment to such agency attributable to children who reside on property which is described in section 403(1)(C) of said Act shall be limited to 15 per centum of entitlement: *Provided further*, That payment with respect to entitlements under section 3(a) to any local educational agency not described in section 3(d)(1)(A) shall be ratably reduced from 100 per centum of entitlement except that payment to such agency attributable to children who reside on property which is described in

20 USC 236 *et seq.*
20 USC 237.
20 USC 241-1.
20 USC 238.
20 USC 244.

section 403(1)(C) shall be ratably reduced from 15 per centum of entitlement: *Provided further,* That payment with respect to entitlements under section 3(b) of said Act to any local educational agency in which 20 per centum or more of the total average daily attendance is made up of children determined eligible under section 3(b) shall be at 60 per centum of entitlement and payment with respect to entitlements under section 3(b) of said Act to any local educational agency in which less than 20 per centum of the total average daily attendance is made up of children determined eligible under section 3(b) shall be ratably reduced from 100 per centum of entitlement: *Provided further,* That the provisions of section 5(c) of said Act shall not apply to funds provided herein: *Provided further,* That no payments shall be made under section 7 of said Act to any local educational agency whose need for assistance under that section fails to exceed the lesser of $10,000 or 5 per centum of the district's current operating expenditures during the fiscal year preceding the one in which the disaster occurred: *Provided further,* That in determining entitlements under section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), the local contribution rate for each local educational agency shall not be more than the local contribution rate for that agency for fiscal year 1985: *Provided further,* That in the case of a local educational agency that did not have a local contribution rate for fiscal year 1985, the Secretary shall base such agency's fiscal year 1986 payment on a local contribution rate the agency could have received for fiscal year 1985.

20 USC 244.
20 USC 238.
20 USC 240.
20 USC 241-1.

For carrying out the Act of September 23, 1950, as amended (20 U.S.C. ch. 19), $20,000,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act, of which $8,500,000 shall be for awards under section 10 of said Act, $8,500,000 shall be for awards under sections 14(a) and 14(b) of said Act, and $3,000,000 shall be for awards under sections 5 and 14(c) of said Act.

20 USC 631 *et seq.*
20 USC 640, 644.

SPECIAL PROGRAMS

For carrying out the consolidated programs and projects authorized under chapter 2 of the Education Consolidation and Improvement Act of 1981, as amended, $531,909,000, of which $31,909,000 shall be for programs and projects authorized under subchapter D of said Act, including $10,700,000 for programs and projects authorized under subsection 583(a)(1) of said Act; $6,052,000 shall be used for awards, which, except for educational television programming, are not to exceed a cumulative amount of $1,000,000 to any recipient for national impact demonstration or research projects; $7,000,000 for activities authorized under subsection 583(b)(1) of said Act; $3,157,000 for programs authorized under subsection 583(b)(2) of said Act; $3,000,000 for programs authorized under subsection 583(b)(3) of said Act; and $2,000,000 for activities authorized under subsection 583(b)(4) of said Act: *Provided,* That $500,000,000 to carry out the State block grant program authorized under chapter 2 of said Act shall become available for obligation on July 1, 1986, and shall remain available until September 30, 1987.

20 USC 3811.
20 USC 3851.
20 USC 3851.
Grants.

For grants to State educational agencies and desegregation assistance centers authorized under section 403 of the Civil Rights Act of 1964, $24,000,000.

Grants.
42 USC 2000c-2.

For carrying out activities authorized under title IX, part C of the Elementary and Secondary Education Act, $6,000,000.

20 USC 3341.

92 Stat. 2379. For carrying out activities authorized under section 1524 of the Education Amendments of 1978, $5,000,000.

92 Stat. 2379. For carrying out activities authorized under section 1525 of the Education Amendments of 1978, $2,000,000.

86 Stat. 907. For carrying out activities authorized under Public Law 92-506, as amended, $1,700,000: *Provided*, That said sum shall become available on July 1, 1986, and shall remain available until September 30, 1987.

98 Stat. 1299. 20 USC 4051. For carrying out the provisions of title VII of the Education for Economic Security Act, relating to magnet schools assistance, $75,000,000: *Provided*, That not more than $4,000,000 in the fiscal year may be paid to any single eligible local educational agency.

98 Stat. 1295. 20 USC 4031 note. For carrying out the provisions of title VI of the Education for Economic Security Act, $2,500,000 to remain available until expended.

42 USC 9801 note. For carrying out activities authorized under the Follow Through Act, $7,500,000.

98 Stat. 1273. For carrying out the provisions of title II of the Education for Economic Security Act, $50,000,000 to become available on July 1, 1986, and remain available until September 30, 1987.

98 Stat. 2902. 20 USC 4201. For carrying out the provisions of title IX of Public Law 98-558, $7,500,000, to become available July 1, 1986, and to remain available until September 30, 1987.

BILINGUAL EDUCATION

98 Stat. 2370. 98 Stat. 2401. 20 USC 4101 note. 98 Stat. 2477. 20 USC 2441. 20 USC 3242. For carrying out, to the extent not otherwise provided, title VII of the Elementary and Secondary Education Act, title VI of the Education Amendments of 1984, and title IV, part E of the Carl D. Perkins Vocational Education Act, $172,951,000, of which $5,000,000 shall be for section 732 of title VII of the Elementary and Secondary Education Act and $30,000,000 shall be for the Emergency Immigrant Education Program authorized by title VI of the Education Amendments of 1984.

EDUCATION FOR THE HANDICAPPED

20 USC 1400. 20 USC 1411. 20 USC 1419. For carrying out the Education of the Handicapped Act, $1,411,000,000, of which $1,215,550,000 for section 611 and $30,000,000 for section 619 shall become available for obligation on July 1, 1986, and shall remain available until September 30, 1987: *Provided*, That $500,000 of the amounts available under this heading for part F of the Education of the Handicapped Act shall be available for the Theater of the Deaf.

20 USC 1451.

REHABILITATION SERVICES AND HANDICAPPED RESEARCH

29 USC 701 note. 98 Stat. 32. 29 USC 1901 note. 22 USC 2101 note. 98 Stat. 19. 29 USC 720. 29 USC 730. 98 Stat. 26. 29 USC 777f. 98 Stat. 26. 29 USC 777a. For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Helen Keller National Center Act, and the International Health Research Act of 1960, $1,362,000,000, of which $1,188,708,000 shall be for allotments under section 100(b)(1) of the Rehabilitation Act, $1,292,000 shall be for activities under section 110(b)(3) of the Rehabilitation Act, $2,200,000 shall be for special recreational programs under section 316 of the Rehabilitation Act, and $4,300,000 shall be for continued operation of the Helen Keller National Center for Deaf-Blind Youths and Adults.

For special demonstration programs for the severely disabled, under section 311 of the Rehabilitation Act, $20,200,000, of which

$750,000 shall be available for a grant to South Carolina to pay the full cost of the construction of the Comprehensive Medical Rehabilitation Center to be located in Columbia, South Carolina.

From the remainder of amounts appropriated to carry out the Rehabilitation Act, $5,000,000, to remain available until expended, shall be available, in accordance with section 311 of the Rehabilitation Act, for a grant to the Oregon Hearing Institute, in Portland, Oregon, to pay the full cost of the research activities, and the construction and renovation associated with those activities.

29 USC 701 note.

98 Stat. 26.
29 USC 777a.

The amounts to carry out title VI-B (pertaining to projects with industry and business opportunities for handicapped individuals) and title VII-B (pertaining to Centers for Independent Living) of the Rehabilitation Act shall be used to assist only those entities assisted thereunder during fiscal year 1985, except for any portion of such amounts made available due either to the failure of any such entity to apply for continued funding or a determination by the Commissioner that there is a substantial failure of any such entity to comply with provisions of its approved application.

29 USC 795g.

29 USC 796e.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational Education Act, and the Adult Education Act, $940,777,000 which shall become available for obligation on July 1, 1986, and shall remain available until September 30, 1987: *Provided*, That $10,000,000 shall be available for title IV, parts A and C of the Carl D. Perkins Vocational Education Act including $6,000,000 for section 404 of said title: *Provided further*, That $7,300,000 shall be available for State advisory councils under section 112 of the Carl D. Perkins Vocational Education Act shall be used to provide to each State an amount equal to the amount it received in the previous fiscal year: *Provided further*, That no State shall receive less under title II of the Carl D. Perkins Vocational Education Act than it received in the previous year: *Provided further*, That $101,963,000 for the Adult Education Act shall be used to provide to each State an amount equal to the amount it received under said Act in the previous year: *Provided further*, That $2,300,000 shall be made available for the National Occupational Information Coordinating Committee: *Provided further*, That $7,500,000 shall be made available to carry out title III-A of that Act and $31,633,000 shall be made available for title III-B of that Act.

98 Stat. 2435.
20 USC 2301 note.
20 USC 1201 note.
98 Stat. 2466.
20 USC 2401.
98 Stat. 2472.
20 USC 2421.
98 Stat. 2468.
20 USC 2404.
98 Stat. 2443.
29 USC 2322.
98 Stat. 2450.
20 USC 2331.

98 Stat. 2457.
20 USC 2351.
98 Stat. 2458.
20 USC 2361.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 2, and 3 of part A, and parts C and E of title IV of the Higher Education Act, as amended, $4,887,000,000 which shall remain available until September 30, 1987, of which $412,500,000 shall be available for carrying out subpart 2 of part A of title IV of the Higher Education Act: *Provided*, That amounts appropriated for Pell Grants shall be available first to meet any insufficiencies in entitlements resulting from the payment schedule for Pell Grants published by the Secretary of Education for the 1985–86 academic year: *Provided further*, That pursuant to section 411(b)(4)(A) of the Higher Education Act, amounts appropriated herein for Pell Grants which exceed the amounts required to meet the payment schedule published for any fiscal year by 15 per centum or less shall be carried forward and merged with amounts appro-

Grants.
20 USC 1070a, 1070b, 1070c.
42 USC 2751; 20 USC 1088.

20 USC 1070a.

20 USC 1070a. note.

priated for the next fiscal year: *Provided further,* That notwithstanding sections 411(a)(2)(A)(i) and 411(b)(5) of the Higher Education Act, the maximum Pell grant a student may receive in the 1986–87 academic year shall be $2,100: *Provided further,* That the cost of attendance criteria used for calculating eligibility for and the amount of the Pell Grants for academic year 1986–87 shall be the same as the cost of attendance criteria used for academic year 1985–86: *Provided further,* That notwithstanding section 413D(a), subsections (a) and (b) of section 462, and subsections (a), (b), (c), and (e) of section 442, of that Act, the Secretary shall apportion funds among the States so that each State's apportionment under the Supplemental Educational Opportunity Grant Program, the National Direct Student Loan Program, and the Work-Study Program bears the same ratio to the total amount appropriated under each program as that State's apportionment in fiscal year 1981 for each program bears to the total amount appropriated for fiscal year 1981 for each program: *Provided further,* That notwithstanding sections 413D(b)(1)(B)(ii) and 446(a) of that Act, from each jurisdiction's allotment of funds under each program, the Secretary shall allocate sums to institutions in that jurisdiction that did not receive an allocation in fiscal year 1979 (award year 1979–80) under each program in a manner that will most effectively carry out the purposes of the Supplemental Educational Opportunity Grant Program and the Work-Study Program: *Provided further,* That notwithstanding section 413D(b)(1)(B)(ii)(II) of the Higher Education Act, the provisions of clause (I) of section 413D(b)(1)(B)(ii) of such Act shall apply to the amount made available for Supplemental Educational Opportunity Grants under this heading.

20 USC 1070b-3 note.
20 USC 1087bb.
42 USC 2752.

20 USC 1070b-3; 42 USC 2756.

GUARANTEED STUDENT LOANS

For necessary expenses under title IV, part B of the Higher Education Act, $3,300,000,000 to remain available until expended.

20 USC 1071.

HIGHER EDUCATION

Grants.

For carrying out title III of the Higher Education Act of 1965, as amended, $141,208,000, of which $23,208,000 for the endowment grant program under section 333 of title III of said Act shall remain available until September 30, 1987: *Provided,* That not less than $45,741,000 of funds appropriated for title III of said Act shall be available only to historically black colleges and universities.

20 USC 1051.
20 USC 1065a.
20 USC 1051.

For carrying out subpart 4 of part A of title IV; titles VI, VII, VIII, and X, parts B, C, D, and E of title IX; and sections 420, 734, and 1204(c) of the Higher Education Act of 1965, as amended; title XIII, part H, subpart 1 of the Education Amendments of 1980; and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961, $293,030,000, of which $23,500,000 made available for interest subsidy grants under section 734 of the Higher Education Act and $10,000,000 made available for undergraduate and graduate facilities grants under part B of title VII of said Act shall remain available until expended: *Provided further,* That sections 922(b)(2) and 922(e)(2) and the funding limitations set forth in section 922(e) of the Higher Education Act shall not apply to funds in this Act.

20 USC 1070d, 1121, 1132a, 1133, 1135, 1134d, 1134h, 1134*l*, 1134n, 1070e-1, 1132d-3, 1144a.
94 Stat. 1502.
22 USC 2452.
20 USC 1132d-3.
20 USC 1132c.

20 USC 1134e.

For carrying out title V, section 501 of the Human Services Reauthorization Act, Public Law 98–558, not to exceed $6,000,000 to

98 Stat. 2888.

remain available until September 30, 1987: *Provided*, That the Federal share of the cost of the facility shall not exceed 50 percent.

For carrying out the provisions of part E of title V of the Higher Education Act of 1965, relating to the Carl D. Perkins Scholarship Program, $10,000,000 to remain available until expended. 98 Stat. 2894. 20 USC 1119d.

HIGHER EDUCATION FACILITIES LOANS AND INSURANCE

For the payment of principal and interest, including interest insufficiencies, as authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, on account of outstanding beneficial interests or participations held by the Government National Mortgage Association, as trustee, on behalf of the Department of Education, and issued pursuant to the Participation Sales Act of 1966 (section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)), and for the payment of interest to the Treasury as required by title VII, part C, section 733(b)(2) of the Higher Education Act, as amended (20 U.S.C. 1132d-2(b)(2)), $17,996,000, to remain available until expended. The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program set forth in the budget for the current fiscal year. For the fiscal year 1986, no new commitments for loans may be made from the fund established pursuant to title VII, section 733 of the Higher Education Act, as amended (20 U.S.C. 1132d-2). 81 Stat. 386. 12 USC 1701 note.

COLLEGE HOUSING LOANS

The aggregate amount of commitments for loans made from the fund established pursuant to title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749), for the fiscal year 1986 shall not exceed the total of loan repayments and other income available during such period, less operating costs. Payments of interest insufficiencies for the fiscal year 1986 as may be required by the Government National Mortgage Association, as trustee, on account of outstanding beneficial interests or participations issued pursuant to the Participation Sales Act of 1966 (section 302(c) of the Federal National Mortgage Association Charter Act, as amended (12 U.S.C. 1717(c))) shall be made from the fund established pursuant to title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c) using loan repayments and other income available during such fiscal year. During the fiscal year 1986 and within the resources and authority available, gross commitments for the principal amount of direct loans shall be $60,000,000.

EDUCATIONAL RESEARCH AND STATISTICS

For necessary expenses to carry out sections 405 and 406 of the General Education Provisions Act, as amended, $59,978,000. 20 USC 1221e, 1221e-1.

LIBRARIES

20 USC 352, 355a, 355e. 98 Stat. 2243. 20 USC 361. 98 Stat. 2245. 20 USC 375. 20 USC 1031, 1034, 1041.

For carrying out, to the extent not otherwise provided, titles I, II, III, IV, and VI of the Library Services and Construction Act (20 U.S.C., ch. 16); and title II, part B except section 224, and part C of the Higher Education Act, notwithstanding the provisions of section 221, $130,000,000: *Provided*, That $25,000,000 of the sums appropriated shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended and $5,000,000 of the sums so appropriated shall be used to carry out title VI of the Library Services and Construction Act.

SPECIAL INSTITUTIONS

AMERICAN PRINTING HOUSE FOR THE BLIND

20 USC 101, 102, 104.

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101-106), including provision of materials to adults undergoing rehabilitation on the same basis as provided in 1985, $5,500,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For carrying out the National Technical Institute for the Deaf Act (20 U.S.C. 681 et seq.), $32,000,000.

GALLAUDET COLLEGE

20 USC 693 note. 20 USC 691-691g.

For carrying out the Model Secondary School for the Deaf Act (80 Stat. 1027) and for the partial support of Gallaudet College authorized by the Act of June 18, 1954 (68 Stat. 265), including continuing education activities, existing extension centers and the National Center for Law and the Deaf, $62,000,000.

HOWARD UNIVERSITY

20 USC 1001 note.

For partial support of Howard University (20 U.S.C. 121 et seq.), $164,230,000, of which $2,000,000 shall be for an endowment matching grant in accordance with policies and procedures as appropriate for comparable grants under the Challenge Grant Amendments of 1983 (Public Law 98-95) and shall remain available until expended.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

20 USC 3401 note.

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $225,867,000.

OFFICE FOR CIVIL RIGHTS

20 USC 3413.

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $44,580,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $15,312,000. 20 USC 3422.

GENERAL PROVISIONS

SEC. 301. None of the funds appropriated by this title for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any State which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees. Prohibition.

SEC. 302. Funds appropriated in this Act to the American Printing House for the Blind, Howard University, the National Technical Institute for the Deaf, and Gallaudet College shall be subject to audit by the Secretary of Education. Audit.

SEC. 303. No part of the funds contained in this title may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent. Prohibition. Busing. 42 USC 2000c.

SEC. 304. (a) No part of the funds contained in this title shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school. Prohibition. Busing.

(b) No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system. Prohibition. Busing.

SEC. 305. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, Prohibition. Busing. 42 USC 2000d.

pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

School prayer.

SEC. 306. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

98 Stat. 3329.
12 USC 1749a.

SEC. 307. Section 402(c) of the Housing Act of 1950 is amended by striking out in clause (9) "October 1, 1985" and inserting in its place "October 1, 1986".

This title may be cited as the "Department of Education Appropriation Act, 1986".

TITLE IV—RELATED AGENCIES

ACTION

OPERATING EXPENSES

For expenses necessary for Action to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended (42 U.S.C. 4951 et seq.), $151,287,000, of which $19,000,000 shall be available to carry out title I, part A of said Act.

98 Stat. 189.
42 USC 4951.

CORPORATION FOR PUBLIC BROADCASTING

PUBLIC BROADCASTING FUND

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 1988, $214,000,000: *Provided,* That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for government officials or employees: *Provided further,* That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further,* That notwithstanding any other provision of this Act, amounts otherwise provided by this Act for the following accounts and activities are reduced by the following amounts:

47 USC 609 note.

Prohibition.

Prohibition.
Discrimination, prohibition.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES

"National Health Service Corps", $5,000,000;

NATIONAL INSTITUTES OF HEALTH

"Research management and support", $3,000,000;

OFFICE OF ASSISTANT SECRETARY FOR HEALTH

"Health statistics", $2,000,000;

FAMILY SOCIAL SERVICES

"Child welfare services authorized by title IV, part B of the Social Security Act", $13,000,000;

42 USC 620.

OFFICE OF COMMUNITY SERVICES

"Community services block grant, discretionary funds", $2,135,000, of which $1,570,000 applies to section 681(a)(2)(A), $330,000 applies to section 681(a)(2)(D), and $235,000 applies to section 681(a)(2)(E);

DEPARTMENT OF EDUCATION

IMPACT AID

"School construction authorized by the Act of September 23, 1950", $2,500,000, of which $1,000,000 applies to section 10, $1,000,000 applies to section 14(a) and 14(b), and $500,000 applies to section 5 and 14(c) of said Act; 20 USC 640. 20 USC 644. 20 USC 635.

SPECIAL PROGRAMS

"National impact demonstration or research projects (except educational television programming) authorized under subchapter D of chapter 2 of the Education Consolidation and Improvement Act of 1981", $3,000,000; 20 USC 3851 *et seq.*

"Activities authorized by title II of the Education for Economic Security Act", $5,000,000; 98 Stat. 1273. 20 USC 3961.

LIBRARIES

"Library construction authorized by title II of the Library Services and Construction Act", $2,500,000. 20 USC 352.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171–180, 182), including expenses of the Labor-Management Panel and boards of inquiry appointed by the President, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia; and for expenses necessary pursuant to Public Law 93–360 for mandatory mediation in health care industry negotiation disputes and for convening factfinding boards of inquiry appointed by the Director in the health care industry; and for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 125a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95–454 (5 U.S.C. chapter 71), $23,394,000. 29 USC 152, 158, 183, 169 and note. 29 USC 141 note. 5 USC 7101.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $3,815,000.

NATIONAL CENTER FOR THE STUDY OF AFRO-AMERICAN HISTORY AND CULTURE

20 USC 3701 note.

For necessary expenses for the National Center for the Study of Afro-American History and Culture Act (title II, Public Law 96-430), $200,000.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

20 USC 1501 note.

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345), $690,000.

NATIONAL COUNCIL ON THE HANDICAPPED

SALARIES AND EXPENSES

29 USC 785.

For expenses necessary for the National Council on the Handicapped as authorized by section 405 of the Rehabilitation Act of 1973, as amended, $765,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, $134,854,000: *Provided,* That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes.

29 USC 141.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, $6,358,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For the expenses necessary for the Occupational Safety and Health Review Commission, $5,901,000.

PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 601 of Public Law 98-21, $2,893,000 to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds. 97 Stat. 149.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $392,000,000 which shall be credited to the account in 12 approximately equal amounts on the first day of each month in the fiscal year. 45 USC 231n.

FEDERAL PAYMENT TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for unnegotiated checks, $2,200,000 which shall be the maximum amount available for payments pursuant to section 417 of Public Law 98-76: *Provided,* That these funds shall remain available through September 30, 1987. 48 Stat. 1283. 45 USC 231n.

LIMITATION ON ADMINISTRATION

For expenses necessary for the Railroad Retirement Board, $55,422,000 to be derived from the railroad retirement accounts: *Provided,* That such portion of the foregoing amount as may be necessary shall be available for the payment of personnel compensation and benefits for not less than 1,199 full-time equivalent employees: *Provided further,* That $500,000 of the foregoing amount shall be available only to the extent necessary to process workloads not anticipated in the budget estimates and after maximum absorption of the costs of such workloads within the remainder of the existing limitation has been achieved: *Provided further,* That notwithstanding any other provision of law, no portion of this limitation shall be available for payments of standard level user charges pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j); 45 U.S.C. 228a-r).

LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE ADMINISTRATION FUND

For further expenses necessary for the Railroad Retirement Board, for administration of the Railroad Unemployment Insurance Act, not less than $16,487,000 shall be apportioned for fiscal year 1986 from moneys credited to the railroad unemployment insurance administration fund, and of this amount $1,280,000 shall be derived from contributions credited to the railroad unemployment insurance account and shall be credited to the railroad unemployment insurance administration fund as authorized by section 11(a)(iv) of the Railroad Unemployment Insurance Act: *Provided,* That such portion of the foregoing amount as may be necessary shall be available for 45 USC 367. 45 USC 361.

the payment of personnel compensation and benefits for not less than 379 full-time equivalent employees.

SOLDIERS' AND AIRMEN'S HOME

OPERATION AND MAINTENANCE

For maintenance and operation of the United States Soldiers' and Airmen's Home, to be paid from the Soldiers' and Airmen's Home permanent fund, $33,391,000: *Provided,* That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners and the Surgeon General of the Army.

CAPITAL OUTLAY

For construction and renovation of the physical plant, to be paid from the Soldiers' and Airmen's Home permanent fund, $15,000,000, to remain available until expended.

TITLE V—GENERAL PROVISIONS

Prohibition. Contracts. Public availability.

SEC. 501. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Prohibition. Contracts.

SEC. 502. No part of any appropriation contained in this Act shall be expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), pursuant to any obligation for services by contract, unless such executive agency has awarded and entered into such contract in full compliance with such Act and regulations promulgated thereunder.

SEC. 503. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18.

SEC. 504. Appropriations contained in this Act, available for salaries and expenses, shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 505. Appropriations contained in this Act, available for salaries and expenses, shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Prohibition. Loans. Grants. Colleges and universities.

SEC. 506. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curricula, or to prevent

the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

SEC. 507. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 508. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein. Prohibition.

SEC. 509. No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself. Prohibitions.

No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress.

SEC. 510. The Secretaries of Labor, Health and Human Services, and Education are each authorized to make available not to exceed $7,500 from funds available for salaries and expenses under titles I, II, and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $2,500 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 511. None of the funds appropriated by this Act shall be used to pay for any research program or project or any program, project, or course which is of an experimental nature, or any other activity involving human participants, which is determined by the Secretary or a court of competent jurisdiction to present a danger to the physical, mental, or emotional well-being of a participant or subject of such program, project, or course, without the written, informed consent of each participant or subject, or a participant's parents or legal guardian, if such participant or subject is under eighteen years of age. The Secretary shall adopt appropriate regulations respecting this section. Prohibition. Research and development. Regulations.

SEC. 512. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between his domicile and his place of employment, with the exception of the Secretaries of Labor, Health and Human Services, and Education, and medical officers and other health personnel on out-patient medical service who are exempted from such limitations under 31 U.S.C. 1344. Prohibition.

SEC. 513. Notwithstanding any other provision of this Act, no funds appropriated by this Act may be used to execute or carry out any contract with a non-governmental entity to administer or Prohibition. Contracts.

manage a Civilian Conservation center of the Job Corps which was not under such a contract as of September 1, 1984.

Compact of Free Association.
Post, p. 1770.

SEC. 514. Upon the enactment of the Compact of Free Association, amounts appropriated by this Act for Federal financial assistance to the Trust Territory of the Pacific Islands shall be available only for the Republic of Palau, but only in amounts that such Republic would have received had the Compact not been enacted.

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1986".

Approved December 12, 1985.

LEGISLATIVE HISTORY—H.R. 3424:

HOUSE REPORTS: No. 99-289 (Comm. on Appropriations) and 99-402 (Comm. of Conference).
SENATE REPORT No. 99-151 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 131 (1985):
Oct. 2, considered and passed House.
Oct. 21, 22, considered and passed Senate, amended.
Dec. 5, House agreed to conference report; receded and concurred in certain Senate amendments, concurred in others with amendments.
Dec. 6, Senate agreed to conference report; concurred in House amendments.

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